

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 12-2004)

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

FA/244

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

To be assigned **10/524929**INTERNATIONAL APPLICATION NO.  
PCT/EP2003/009003INTERNATIONAL FILING DATE  
13 August 2003PRIORITY DATE CLAIMED  
19 August 2002

TITLE OF INVENTION

GARMENT WITH VENTILATING MEANS

APPLICANT(S) FOR DO/EO/US

Oliver Opitz, Johann Aumann, Ulrich Spindler

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☒ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No.
23. ☒ Other items or information:

Customer Number 28596

Express Mail Label No. ED 143518078 US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/524929</b> <small>To be assigned</small>		INTERNATIONAL APPLICATION NO. <b>PCT/EP2003/009003</b>		ATTORNEY'S DOCKET NUMBER <b>FA/244</b>	
24. The following fees are submitted:				Applicant use	Office use
<input checked="" type="checkbox"/> a) Basic national fee . . . . . \$300.00				\$ 300.00	
<input checked="" type="checkbox"/> b) Examination fee . . . . . \$200.00				\$ 200.00	
<input checked="" type="checkbox"/> c) Search fee . . . . . \$500.00				\$ 500.00	
<b>TOTAL OF ABOVE CALCULATIONS = \$1000.00</b>				\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE	
40 - 100 =	-60 /50 =	-1		x	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	46 - 20 =	26	x	\$50.00	\$ 1,300.00
Independent claims	3 - 3 =	0	x	\$200.00	\$ 0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$ 0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	\$ 2,300.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$ 0.00
<b>SUBTOTAL =</b>				\$	\$ 2,300.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$ 0.00
<b>TOTAL NATIONAL FEE =</b>				\$	\$ 2,300.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$ 0.00
<b>TOTAL FEES ENCLOSED =</b>				\$	\$ 2,300.00
Amount to be refunded:					\$
Amount to be charged:					\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>07-1729</u> in the amount of <u>\$2,300.00</u> to cover the above fees. A duplicate copy of this sheet is					
c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>07-1729</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
<u>Bridget Sciamanna</u>					
<u>W. L. Gore &amp; Associates, Inc.</u>					
<u>551 Paper Mill Road</u>					
<u>P. O. Box 9206</u>					
<u>Newark, DE 19714-9206</u>					
				<u>Bridget C. Sciamanna</u>	
				SIGNATURE	
				<u>Bridget C. Sciamanna</u>	
				NAME	
				<u>47,333</u>	
				REGISTRATION NUMBER	

10/524929

DT05 Rec'd PCT/PTO 16 FEB 2005

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Opitz et al.

Docket No.

FA/244

Application No.

To be assigned

Filing Date

Simultaneously

Examiner

Customer No.

28596

Group Art Unit

Invention:

**GARMENT WITH VENTILATING MEANS**

I hereby certify that the following correspondence:

**UTILITY PATENT APPLICATION TRANSMITTAL***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

February 16, 2005*(Date)*Beverly McLennan*(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)*ED 143518078 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

Attorney Docket No. FA/244

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Opitz et al.

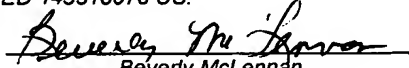
Serial No.: To be assigned

Filed: Simultaneously Herewith

For: Garment With Ventilating Means

Commissioner For Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence  
is being deposited with the "Express Mail  
Post Office to Addressee" service of the  
United States Postal Service in an  
envelope addressed to: Commissioner for  
Patents, P. O. Box 1450, Alexandria, VA  
22313-1450, on February 16, 2005 with an  
Express Mail Label, bearing the number  
ED 143518078 US.

  
Beverly McLennan

February 16, 2005  
date of mailing document

LETTER OF TRANSMITTAL

Dear Sir:

We enclose the following papers for filing in the U. S. Patent and  
Trademark Office in connection with the above-identified new Patent  
Application:

1. Transmittal Letter to US Designated Office (2 pages)
2. Certification of Express Mailing (1 page)
3. Abstract and Specification (30 page, 46 claims)
4. Informal Drawings (10 sheets)
5. Preliminary Amendment (10 pages)
6. International Search Report (3 pages)

**THE COMMISSIONER IS HEREBY AUTHORIZED AND IS  
REQUESTED TO CHARGE ALL FILING FEES DUE UNDER 37 C.F.R. §1.16  
AND ALL OTHER FEES DUE UNDER SECTION 1.17 DURING THE  
PENDENCY OF THIS APPLICATION TO OUR DEPOSIT ACCOUNT NO.  
07-1729.**

Please accord this application a serial number and a filing date.

Respectfully submitted,

  
Bridget Sciamanna, 47,333  
W. L. Gore & Associates, Inc.  
551 Paper Mill Road  
P.O. Box 9206  
Newark, DE 19714-9206  
(302) 738-4880

Date: February 16, 2005